

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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Rocky Mountain Power's Proposed Tariff Revisions to Electric Service Regulation Nos. 7 (Metering) and 8 (Billings)	<u>DOCKET NO. 19-035-T02</u> <u>ORDER SUSPENDING TARIFF AND</u> <u>NOTICE OF RULEMAKING</u>
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ISSUED: March 20, 2019

On February 21, 2019, PacifiCorp filed with the Public Service Commission of Utah (PSC) Advice No. 19-02 requesting approval of changes to its Tariff P.S.C.U No. 50 (Tariff) Electric Service Regulation Nos. 7 (Metering) and 8 (Billings) (Tariff Filing). Specifically, PacifiCorp proposes revisions to Tariff Sheet Nos. 7R.4 and 8R.3 (Revised Tariff Sheets) which are intended to clarify the distinction between a meter that fails to register correctly and a meter that completely fails to register any usage. PacifiCorp proposes an effective date of April 22, 2019 for these changes. PacifiCorp notes the proposed Tariff changes are the result of collaborative discussions with the Division of Public Utilities (DPU), the Office of Consumer Services, and the Utah Association of Energy Users.

Also on February 21, 2019, the PSC issued an Action Request to the DPU and a Notice of Filing and Comment Period. On March 8, 2019, the DPU filed comments.

In its comments, the DPU references Docket No. 18-035-T04<sup>1</sup> in which PacifiCorp similarly proposed changes to Tariff Sheet Nos. 7, Section 4(b), which also sought to clarify the distinction between a meter that fails to register usage correctly and a meter that completely fails to register any usage. In its November 20, 2018 comments filed in Docket No. 18-035-T04, the

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<sup>1</sup> See *Rocky Mountain Power's Proposed Tariff Revisions to Electric Service Regulation Nos. 4 (Supply and Use of Service), 5 (Customer's Installation), 7 (Metering), 9 (Deposits), 10 (Termination of Service and Deferred Payment Agreement), 12 (Line Extensions), and Electric Service Schedule No. 300 (Regulation Charges)*, Docket No. 18-035-T04.

DPU suggested a review of the language in Electric Service Regulation No. 8, Section 8, referenced in Regulation No. 7(4)(b). The DPU's comments also discussed the clarification PacifiCorp provides in the Revised Tariff Sheets. The DPU concluded PacifiCorp's Tariff Filing is in the public interest and recommended the PSC approve it.

On January 15, 2019, in Docket No. 18-035-T04, we issued an order declining to adopt PacifiCorp's proposed changes to Electric Service Regulation No. 7. We concluded that "*Utah Admin. Code R746-310, Uniform Rules Governing Electricity Service by Electric Utilities, does not address the language change PacifiCorp seeks to implement for a meter which fails to measure correctly. We conclude that we should not adopt PacifiCorp's proposal before rules addressing this issue are proposed by a party and ultimately adopted by the PSC. In addition, we conclude this issue could be applicable to other electric utilities.*"<sup>2</sup>

Because administrative rules currently apply to similar circumstances, we find and conclude that the more orderly and transparent process is to make this change in those rules. Therefore we suspend, in the instant docket, PacifiCorp's Revised Tariff Sheets before rules addressing this issue are adopted by the PSC. We will promptly initiate a rulemaking docket to modify Utah Administrative Code R746-310, Uniform Rules Governing Electricity Service by Electric Utilities, consistent with PacifiCorp's proposed tariff language. We anticipate filing this rule amendment before the next rule filing deadline, which should enable the rule amendment to be published in the April 15, 2019 Utah State Bulletin. Accordingly, the changes PacifiCorp

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<sup>2</sup> *Supra* n.1, Order at 9, issued January 15, 2019.

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proposes in its Tariff Filing are suspended and shall not become effective by operation of statute, pending further order from the PSC.

DATED at Salt Lake City, Utah, March 20, 2019.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg  
PSC Secretary  
DW#307236

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this written order by filing a request for review or rehearing with the PSC within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the PSC fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the PSC's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

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CERTIFICATE OF SERVICE

I CERTIFY that on March 20, 2019, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Electronic-Mail:

Data Request Response Center ([datarequest@pacificorp.com](mailto:datarequest@pacificorp.com), [utahdockets@pacificorp.com](mailto:utahdockets@pacificorp.com))  
PacifiCorp

Jana Saba ([jana.saba@pacificorp.com](mailto:jana.saba@pacificorp.com))  
Yvonne Hogle ([yvonne.hogle@pacificorp.com](mailto:yvonne.hogle@pacificorp.com))  
Joelle Steward ([joelle.steward@pacificorp.com](mailto:joelle.steward@pacificorp.com))  
Rocky Mountain Power

Patricia Schmid ([pschmid@agutah.gov](mailto:pschmid@agutah.gov))  
Justin Jetter ([jjetter@agutah.gov](mailto:jjetter@agutah.gov))  
Robert Moore ([rmoore@agutah.gov](mailto:rmoore@agutah.gov))  
Steven Snarr ([stevensnarr@agutah.gov](mailto:stevensnarr@agutah.gov))  
Assistant Utah Attorneys General

Erika Tedder ([etedder@utah.gov](mailto:etedder@utah.gov))  
Division of Public Utilities

By Hand Delivery:

Office of Consumer Services  
160 East 300 South, 2nd Flr.  
Salt Lake City, Utah 84111

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Administrative Assistant